

Remarks

The Office Action dated May 27, 2003 has been received and considered by the Applicant. The foregoing amendment to the claims does not introduce new matter in to the present application for invention, therefore, it is respectfully requested that the foregoing amendment be entered. Claims 10-29 are currently pending in the present application for invention. Claims 10-17 are allowed by the May 27 Office Action. Claim 18-29 are rejected by the May 27 Office Action. The foregoing amendment has added new claim 30, which depends from allowed claim 10 therefore, allowance of claim 30 is respectfully requested. Allowed claim 17 has been amended in a manner that is believed to be more consistent with the invention as described by the specification to the present invention.

The Office Action rejects claims 18-29 under the provisions of 35 U.S.C. §102(e) as being anticipated by U. S. Patent No. 6,072,759 issued in the name of Maeda et al. (Maeda et al.). The Examiner states that Maeda et al. discloses the method of claim 18 including the element of "forming a file-based access mechanism on the unitary storage medium, including a TOC mechanism storing and accessing the audio information." In making this rejection, the Examiner refers to Figures 6A-6D of Maeda et al. The Applicants would like to, respectfully, point out that Maeda et al. teaches a recording medium format wherein information is accessed in a serial matter (see Figures 10A, 10B and 10C which are taken in conjunction with Figures 6A-6D). The present invention as defined by the rejected claims pertains to providing parallel accessibility of audio information (see page 1, lines 14-16 of specification to present intention). Accordingly, claim 18 has been amended to more particularly claim the invention. Applicants, respectfully, submit that amended claim 18 which recites a parallel and alternative manner of accessing audio information by either the TOC mechanism or the file based access mechanism is clearly distinguishable from the teachings of Maeda et al. Moreover, there is no suggestion within the cited references that would lead a person skilled in the art to modify the teachings of Maeda et al. to arrive at the present invention as recited by the elements of amended claim 18. Accordingly, amended claim 18 is believed to be allowable over the cited reference Maeda et al. Since claims 19-23 depend from claim 18, Applicants, respectfully, submit that claims 19-23 are also in condition for allowance.

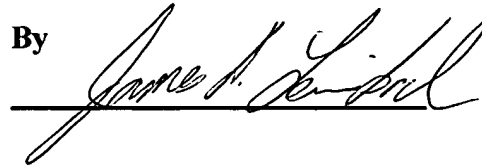
The Examiner states that Maeda et al. discloses the storage medium recited by rejected claim 24 including the element of "forming a file-based access mechanism on the unitary storage medium, including a TOC mechanism storing and accessing the audio information." In a manner

similar to the rejection of claim 18, the Examiner refers to Figures 6A-6D of Maeda et al. In a manner similar to the response to the rejection of claim 18, the Applicants would like to, respectfully, point out that Maeda et al. teaches a recording medium format wherein information is accessed in a serial matter (see Figures 10A, 10B and 10C which are taken in conjunction with Figures 6A-6D). The present invention pertains to providing parallel accessibility of audio information (see page 1, lines 14-16 of specification to present intention). Accordingly, claim 24 has been amended to more particularly claim the invention. Applicants, respectfully, submit that amended claim 24 which recites a parallel and alternative manner of accessing audio information by either the TOC mechanism or the file based access mechanism is wholly inconsistent with the teachings of Maeda et al. Moreover, there is no suggestion within the cited references that would lead a person skilled in the art to modify the teachings of Maeda et al. to arrive at the present invention as recited by the elements of amended claim 24. Accordingly, amended claim 24 is believed to be allowable over the cited reference Maeda et al. Since claims 25-29 depend from claim 24, Applicants, respectfully, submit that claims 25-29 are allowable overexcited reference Maeda et al.

In view of the foregoing amendment and remarks, the Applicants believe that the present application is in condition for allowance, with such allowance being, respectfully, requested.

Respectfully submitted,

By



James D. Leimbach, Reg. 34,374

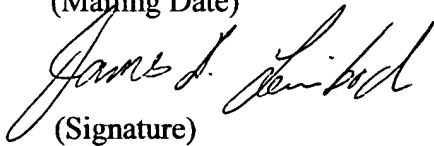
Patent Attorney (585) 381-9983

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited this date with the United States Postal Service as first-class mail in an envelope addressed to:

U.S. Patent and Trademark Office
P.O. Box 2327 Arlington, VA 22202

on: August 27, 2003
(Mailing Date)



(Signature)